

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
Roanoke Division

DEC 12 2011

JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

DOE 1, by Doe 1's next friend and parent)
DOE 2, who also sues on DOE 2's own behalf)
)
Plaintiffs,)
)
v.)
)
SCHOOL BOARD OF GILES COUNTY)
)
Defendant.)
)

Civil No. 7:11-cv-00435-MFU

**ORDER GRANTING MOTION TO PROCEED USING PSEUDONYMS AND FOR A
PROTECTIVE ORDER**

Following a hearing on Plaintiffs' Motion to Proceed Using Pseudonyms and for a Protective Order, and upon the parties' joint agreement, upon a showing of good cause, the Court hereby grants Plaintiffs' Motion and Orders as follows:

1. Plaintiffs shall be permitted to proceed in this action using the pseudonyms Doe 1 and Doe 2 in place of their true identities.
2. The parties shall use the pseudonyms when referring to Plaintiffs in all pleadings, papers, hearings in open court and other statements and documents that are part of the public record.
3. If the Plaintiffs' identities, addresses, or other identifying information are disclosed in any deposition, responses to interrogatories, or other discovery documents, then the party providing the information shall identify it as confidential. Pages in the documents which

contain the Plaintiffs' identities or identifying information shall be labeled, "CONFIDENTIAL," and those pages shall be separately bound into a document marked "CONFIDENTIAL."

4. Any pleadings or documents which contain the Plaintiffs' identities, addresses or other identifying information shall not be publicly filed with the Court, but may be filed with the Court under seal, placed in envelopes marked with the caption of this action and the words "DOCUMENT FILED UNDER SEAL PURSUANT TO COURT ORDER."

5. All court personnel, including court reporters and their staff and agents, who learn the identities or identifying information related to the Plaintiffs are prohibited from taking any action that discloses to any person the identity or identifying information.

6. Plaintiffs' attorneys shall disclose Plaintiffs' names and contact information to the Defendant's attorneys. Defendant's attorneys shall be permitted to disclose Plaintiffs' names and contact information to paralegals, legal assistants and other support staff to the extent such disclosure is necessary to fully and fairly represent the Defendant and each paralegal, legal assistant and support staff member to whom the information is disclosed is first provided a copy of this Order, reviews it, understands it and understands that he/she is bound by its terms.

7. Defendant's attorneys shall be permitted to disclose Plaintiffs' names and contact information to Dr. Terry Arbogast, Superintendent of Giles County Public Schools, and to Jeff Young, Network Administrator for Giles County Public Schools as the agreed upon designated representatives for Defendant. Dr. Arbogast and Mr. Young shall review and be subject to the terms of this Order and shall acknowledge in writing their receipt of a copy of this Order and their agreement to be bound by its terms. Dr. Arbogast and Mr. Young shall not disclose to any other person or discuss with any other person, other than Defendant's attorneys and support staff, the names or other identifying information regarding Plaintiffs.

8. It is the intent of this Order to preserve the anonymity of the Plaintiffs to the greatest extent possible while affording the parties sufficient information to fully and fairly address the issues raised in this action. Any person failing to comply with the terms of this Order may be subject to contempt proceedings and penalties that may include fines and/or incarceration.

9. The Court further instructs that no harassment, threats, intimidation or interference with the Plaintiffs will be tolerated and violators will be subject to contempt proceedings.

IT IS SO ORDERED.

ENTERED ON THIS 12th DAY OF DECEMBER, 2011.

/s/ Michael F. Urbanski

Judge of the United States District Court,
Western District of Virginia

APPROVED:

DOE 1 and DOE 2

SCHOOL BOARD OF GILES COUNTY

/s/
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